

105TH CONGRESS
2D SESSION

S. 1807


AN ACT

To transfer administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hart Mountain Trans-
5 fer Act of 1998”.



1 **SEC. 2. TRANSFERS OF ADMINISTRATIVE JURISDICTION**
2 **OVER PARCELS OF LAND ADMINISTERED BY**
3 **THE BUREAU OF LAND MANAGEMENT AND**
4 **THE UNITED STATES FISH AND WILDLIFE**
5 **SERVICE.**

6 (a) TRANSFER FROM THE BUREAU OF LAND MAN-
7 AGEMENT TO THE UNITED STATES FISH AND WILDLIFE
8 SERVICE.—

9 (1) IN GENERAL.—Administrative jurisdiction
10 over the parcels of land identified for transfer to the
11 United States Fish and Wildlife Service on the map
12 entitled “Hart Mountain Jurisdictional Transfer”,
13 dated February 26, 1998, comprising approximately
14 12,100 acres of land in Lake County, Oregon, lo-
15 cated adjacent to or within the Hart Mountain Na-
16 tional Antelope Refuge, is transferred from the Bu-
17 reau of Land Management to the United States Fish
18 and Wildlife Service.

19 (2) INCLUSION IN REFUGE.—The parcels of
20 land described in paragraph (1) shall be included in
21 the Hart Mountain National Antelope Refuge.

22 (3) WITHDRAWAL.—Subject to valid existing
23 rights, the parcels of land described in paragraph
24 (1)—

25 (A) are withdrawn from—

1 (i) surface entry under the public land
2 laws;

3 (ii) leasing under the mineral leasing
4 laws and Geothermal Steam Act of 1970
5 (30 U.S.C. 1001 et seq.); and

6 (iii) location and entry under the min-
7 ing laws; and

8 (B) shall be treated as parcels of land sub-
9 ject to the provisions of Executive Order No.
10 7523 of December 21, 1936, as amended by
11 Executive Order No. 7895 of May 23, 1938,
12 and Presidential Proclamation No. 2416 of July
13 25, 1940, that withdrew parcels of land for the
14 Hart Mountain National Antelope Refuge.

15 (4) MANAGEMENT.—The land described in
16 paragraph (1) shall be included in the Hart Moun-
17 tain National Antelope Refuge and managed in ac-
18 cordance with the National Wildlife Refuge System
19 Administration Act of 1966 (16 U.S.C. 668dd et
20 seq.), and other applicable law and with manage-
21 ment plans and agreements between the Bureau of
22 Land Management and the United States Fish and
23 Wildlife Service for the Hart Mountain Refuge.

1 (b) CONTINUED MANAGEMENT OF GUANO CREEK
2 WILDERNESS STUDY AREA BY THE BUREAU OF LAND
3 MANAGEMENT.—

4 (1) IN GENERAL.—The parcels of land identi-
5 fied for cooperative management on the map entitled
6 “Hart Mountain Jurisdictional Transfer”, dated
7 February 26, 1998, comprising approximately
8 10,900 acres of land in Lake County, Oregon, lo-
9 cated south of the Hart Mountain National Antelope
10 Refuge, shall be retained under the jurisdiction of
11 the Bureau of Land Management.

12 (2) MANAGEMENT.—The parcels of land de-
13 scribed in paragraph (1) that are within the Guano
14 Creek Wilderness Study Area Act shall be managed
15 so as not to impair the suitability of the area for
16 designation as wilderness, in accordance with cur-
17 rent and future management plans and agreements
18 (including the agreement known as the “Shirk
19 Ranch Agreement” dated September 30, 1997),
20 until such date as Congress enacts a law directing
21 otherwise.

22 (c) TRANSFER FROM THE UNITED STATES FISH AND
23 WILDLIFE SERVICE TO THE BUREAU OF LAND MANAGE-
24 MENT.—

1 (1) IN GENERAL.—Administrative jurisdiction
2 over the parcels of land identified for transfer to the
3 Bureau of Land Management on the map entitled
4 “Hart Mountain Jurisdictional Transfer”, dated
5 February 26, 1998, comprising approximately 7,700
6 acres of land in Lake County, Oregon, located adja-
7 cent to or within the Hart Mountain National Ante-
8 lope Refuge, is transferred from the United States
9 Fish and Wildlife Service to the Bureau of Land
10 Management.

11 (2) REMOVAL FROM REFUGE.—The parcels of
12 land described in paragraph (1) are removed from
13 the Hart Mountain National Antelope Refuge, and
14 the boundary of the refuge is modified to reflect that
15 removal.

16 (3) REVOCATION OF WITHDRAWAL.—The provi-
17 sions of Executive Order No. 7523 of December 21,
18 1936, as amended by Executive Order No. 7895 of
19 May 23, 1938, and Presidential Proclamation No.
20 2416 of July 25, 1940, that withdrew the parcels of
21 land for the refuge, shall be of no effect with respect
22 to the parcels of land described in paragraph (1).

23 (4) STATUS.—The parcels of land described in
24 paragraph (1)—

25 (A) are designated as public land; and

1 (B) shall be open to—

2 (i) surface entry under the public land
3 laws;

4 (ii) leasing under the mineral leasing
5 laws and the Geothermal Steam Act of
6 1970 (30 U.S.C. 1001 et seq.); and

7 (iii) location and entry under the min-
8 ing laws.

9 (5) MANAGEMENT.—The land described in
10 paragraph (1) shall be managed in accordance with
11 the Federal Land Policy and Management Act of
12 1976 (43 U.S.C. 1701 et seq.) and other applicable
13 law, and the agreement known as the “Shirk Ranch
14 Agreement” dated September 30, 1997.

15 (d) MAP.—A copy of the map described in sub-
16 sections (a), (b), and (c) and such additional legal descrip-
17 tions as are applicable shall be kept on file and available
18 for public inspection in the Office of the Regional Director
19 of Region 1 of the United States Fish and Wildlife Serv-
20 ice, the local District Office of the Bureau of Land Man-
21 agement, the Committee on Energy and Natural Re-
22 sources of the Senate, and the Committee on Resources
23 of the House of Representatives.

1 **SEC. 3. KLAMATH MARSH NATIONAL WILDLIFE REFUGE.**

2 Section 28 of the Act of August 13, 1954 (68 Stat.
3 718, chapter 732; 72 Stat. 818; 25 U.S.C. 564w-1), is
4 amended in subsections (f) and (g) by striking “Klamath
5 Forest National Wildlife Refuge” each place it appears
6 and inserting “Klamath Marsh National Wildlife Refuge”.

Passed the Senate July 17, 1998.

Attest:

Secretary.

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